

October 27, 2005

**MUNICIPAL COUNCIL**

A Regular Session of the Municipal Council of the Municipality of the County of Colchester was held in the Court House, Truro, N.S. on Thursday, October 27, 2005 at 7:00 p.m.

**Roll Call**

The roll was called with the following Councillors in attendance:

Mayor Mike Smith, Chair	
Councillor Bob Taylor	District #1
Councillor Bill Masters	District #2
Deputy Mayor Hugh Matheson	District #3
Councillor Mike Cooper	District #4
Councillor Glen Edwards	District #5
Councillor Ron Cavanaugh	District #6
Councillor Jimmie LeFresne	District #7
Councillor Soley Lynds	District #8
Councillor Bob White	District #9
Councillor Doug Cooke	District #10
Councillor Terri Mingo	District #11

**Approval of Agenda**

Moved by Councillor Cooke  
Seconded by Councillor Cavanaugh

“That the agenda for October 27, 2005 be approved with the following additions/deletions:

- add 10b: November Council Date Conflict
- add 12b: Bullying Initiative
- 10c: Position Vacancy at Balefill - Part-Time Position (on table)
- add 10d: Municipal Elections
- add 12c: Flood Study Update - Gordon Murray (on table)
- add 12d: UNSM Fall Conference Update”

Motion Carried Unanimously.

**Approval of Minutes**

Moved by Councillor Taylor  
Seconded by Councillor Cooper

“That the minutes of meeting held on September 29, 2005 be approved as circulated.”

Motion Carried Unanimously.

**Business Arising from Minutes**

There was no business arising from the minutes of meeting held on September 29, 2005.

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**Presentations**

Mr. Tom Stanfield, Pacesetter Co-Chair,  
Colchester Regional Hospital Foundation

Mr. Stanfield made reference to the meeting held on October 12, 2005 between the Foundation and the Mayor and CAO at which time, a verbal agreement was reached to ask Council this evening for a \$7 million donation to the fundraising campaign for the new hospital. Mr. Stanfield indicated that the Foundation is very appreciative of Council's consideration of this request and recognized that, if approved, it will be the largest single donation to the campaign.

\_\_\_\_\_  
Moved by Councillor Taylor  
Seconded by Councillor White

"That the presentation from the Colchester Regional Hospital Foundation be received."

Motion Carried Unanimously.

**Financial  
Contribution to New  
Hospital**

Following the presentation, Council agreed to move Action Item Nos. 8 and 9 forward on the agenda regarding the financial contribution to the new hospital.

\_\_\_\_\_  
Moved by Councillor Edwards  
Seconded by Councillor Masters

"That the Municipality of Colchester approve a contribution to the Colchester Regional Hospital Foundation in support of the new hospital in the amount of \$7 million, to be funded over a five-year period beginning April 1, 2006."

Motion Carried Unanimously.

**Financial Options  
for New Hospital**

The CAO provided an overview of options for financing the County's contribution of \$7 million to the new hospital. The Municipal Government Act allows the Municipality to put this money toward the hospital by borrowing, if this is the way Council chooses to go. Depending on direction received from Council, staff propose to come back at November Committee with an Action Item and recommendations for consideration at November Council.

Council was asked for direction on the method and term of financing, whether to put the burden totally on the residential versus commercial rate or a variation of both, and the timing of the rate increase.

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Council instructed staff, through the following motions, to return to November Committee with scenarios on borrowing over 10, 15 and 20 years and with each case, borrowing \$1.4 million in each of the first 5 years; impact of available reserves to reduce amount of borrowing; and impact on commercial rate if the cost of borrowing is shared between residential and commercial rates.

Moved by Councillor LeFresne  
Seconded by Councillor Cooper

“That Council look at various options for financing the \$7 million municipal contribution to the new hospital.”

Motion Carried Unanimously.

Moved by Councillor LeFresne  
Seconded by Councillor Masters

“That Council look at accessing reserves to help finance the \$7 million municipal contribution to the new hospital.”

Motion Carried Unanimously.

### **Staff Presentation**

#### **Business Occupancy Elimination**

Mr. Gary MacIsaac, Chief Administrative Officer and Mr. Bruce Purchase, Director of Corporate Services, presented an overhead presentation on the elimination of the Business Occupancy Tax. There are currently three business assessment rates:

- 25% for auto dealers, restaurants, tourists (hotels, motels, campgrounds)
- 50% for most businesses (85% of registered businesses)
- 75% for banks, insurance agencies, financial institutions

Elimination by phase out method of the above categories is as follows:

- 2006-07 for phase-out of 25% category
- 2013-14 for phase-out of 75% category
- starting in 2006-07, 50% category being phased out over 5 years

The estimated decrease in Business Occupancy revenue over the five years totals \$1.6 million; estimated loss in sewer, sidewalk and urban street light revenue totals \$18,000 in Year 1; estimated loss to fire commissions and bridges in Year 1 is \$19,000.

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For general operations, revenue recovery options suggested were through the commercial rate only, the residential rate only, or a combination of the commercial and residential rates.

#### Tax Rate Structure

Regarding the tax rate structure, staff referred to past discussions Council has had on reducing the gap in rates between the commercial and residential rate.

By way of this presentation, Council were being asked to consider:

- supporting removal of area rates for residential and resource properties
- supporting a reduction in the rate gap between residential and commercial
- other rate scenario options for residential rates
- impact on presentation and timing of the 2006-07 budgets

Following the presentation and discussion, Council made a motion that the elimination of business occupancy tax and revisions to the tax rate structure be brought back at November Committee as two separate Action Items.

Moved by Councillor LeFresne  
Seconded by Deputy Mayor Matheson

“That elimination of business occupancy tax and revisions to the tax rate structure be brought forward to November Council Committee as two separate Action Items.”

Motion Carried Unanimously.

It was further requested that staff review the impact of the elimination of the business occupancy tax on the Village of Bible Hill and in particular the impact of a new village commercial tax rate.

#### **Standing Committee Reports and Recommendations**

Deputy Mayor Matheson presented a report from the Council Committee meeting held on October 13, 2005:

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**Gas Tax Agreement**

Moved by Deputy Mayor Matheson  
Seconded by Councillor Edwards

“That Council approves the Municipality entering into the Municipal Funding Agreement with the Province of Nova Scotia and that the Mayor and CAO be authorized to execute this Agreement; and,

That staff report back on amendments to the Municipal Infrastructure Fund Program to allow the gas tax revenues and associated obligations to be added to this program.”

Motion Carried Unanimously.

**Property Tax Write-Offs**

Moved by Deputy Mayor Matheson  
Seconded by Councillor White

“That Council approves property taxes and interest totalling \$15,126.37, as detailed on the attached listings, be written off.”

Motion Carried Unanimously.

**Council In-Camera Session**

The CAO indicated that this report is the result of the September 29<sup>th</sup> In-Camera session where legal advice was received on properties along the proposed extension of the Cobequid Trail in the Old Barns area.

Moved by Councillor Masters  
Seconded by Councillor White

“That the Municipality pursue expropriation of lands necessary for extension of the Cobequid Trail from Parcel PID #20306361 owned by Warren Zwicker, Parcel PID #20306445 owned by Gerald and Julia McLellan, and Parcel PID #20306437 owned by Charlotte McLellan.”

Motion Carried Unanimously.

**Tatamagouche Water Utility Committee**

Councillor LeFresne presented a report from the Tatamagouche Water Utility Committee meeting held on October 14, 2005:

**2005-06 and 2006-07 Operating Budgets**

Moved by Councillor LeFresne  
Seconded by Councillor Cavanaugh

“That Council approves the 2005-06 and 2006-07 Operating Budgets for the Tatamagouche Water Utility as presented (budgets attached).”

Motion Carried Unanimously.

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**Funding Request -  
Upgrade of Water  
Treatment Plant**

Moved by Councillor LeFresne  
Seconded by Councillor Taylor

“That Council authorizes the Tatamagouche Water Utility Committee to write a letter to the local MP and MLA requesting their assistance in speeding up the process for the funding application to the Canada-Nova Scotia Infrastructure Program to upgrade the Water Treatment Plant.”

Motion Carried Unanimously.

Moved by Councillor LeFresne  
Seconded by Councillor White

“That Council send a letter to the local MP and MLA requesting their assistance in speeding up the process for the funding application to the Canada-Nova Scotia Infrastructure Program to upgrade the Water Treatment Plant.”

Motion Carried Unanimously.

**Correspondence**

Moved by Councillor LeFresne  
Seconded by Councillor Lynds

“That Council approves the Tatamagouche Water Utility Committee’s recommendation that the letter dated August 17, 2005 from the Nova Scotia Department of Environment and Labour concerning a change in standards of allowable levels of organics and chemicals in drinking water, be received for information.”

Motion Carried Unanimously.

**Art Selection Committee**

Moved by Councillor Lynds  
Seconded by Councillor White

“That Councillors Ron Cavanaugh and Glen Edwards be appointed to serve on the Art Selection Committee for the Municipality of the County of Colchester’s Art Selection Program for 2005.”

Motion Carried Unanimously.

**November Council Date  
Conflict**

Councillor Cooper raised this issue as the date of November 24<sup>th</sup> for the next regular Council session conflicts with a professional development seminar that he and other Councillors may wish to attend on November 24-25 in Halifax.

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After a brief discussion, Council agreed that the date of November 24<sup>th</sup> would remain as the date of the next regular Council session and suggested that those Councillors wanting to go to the workshop may wish to only attend on November 25<sup>th</sup>.

**Position Vacancy -  
Balefill Facility -  
Part-Time Position**

Moved by Councillor Cavanaugh  
Seconded by Councillor White

“That Council declare a vacancy in the part-time Utility Worker/Scalehouse position at the Balefill and authorize Administration to fill this vacancy.”

Motion Carried Unanimously.

**Municipal Elections**

Councillor Cooke referred to an article in the UNSM’s “Open Line” newsletter regarding mail-in balloting for municipal elections and asked that this be brought forward at a future Council Committee meeting. Councillor Mingo requested that electronic voting be part of this discussion.

Moved by Councillor Cooke  
Seconded by Councillor Mingo

“That mail-in balloting and electronic voting for municipal elections be referred to Council Committee.”

Motion Carried Unanimously.

**Correspondence**

Council requested the following ‘Correspondence’ items be moved from Information to Action:

- No. 2: letter from Town of Truro dated September 27, 2005 regarding REMO costs for purchase of equipment for EOC
- No. 10: media release from Colchester East Hants Health Authority dated October 14, 2005 concerning provincial school nutrition policy
- No. 13: letter from Transportation and Public Works dated October 19, 2005 regarding the reconvening of regional transportation committee

**ACTION**

**George Millard, 309 East Folly Mountain Road**

A letter to the Mayor and Council dated October 6, 2005 from **George Millard, 309 East Folly Mountain Road, Debert**, requesting that a street light be placed at the intersection of East Folly Mountain Road and Staples Brook Road.

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Moved by Councillor White  
Seconded by Councillor Lynds

“That the letter from Mr. George Millard dated October 6, 2005 requesting that a street light be placed at the intersection of East Folly Mountain Road and Staples Brook Road be referred to Council Committee.”

Motion Carried Unanimously.

**Dianne Grant, Policy Analyst, Service N.S. & Municipal Relations**

A fax dated October 12, 2005 from **Dianne Grant, Policy Analyst, Service Nova Scotia and Municipal Relations**, regarding a professional development session for municipal councillors, mayors and wardens.

Councillors Cooper, White and Mingo will be attending this workshop being held in Halifax on November 24-25, 2005.

**Constable Graham Purvis, Truro Police**

A request from **Constable Graham Purvis, Truro Police**, requesting that the week of November 20-26, 2005 be proclaimed Drug Awareness Week.

Moved by Councillor White  
Seconded by Councillor Edwards

“That the week of November 20-26, 2005 be proclaimed Drug Awareness Week in Colchester County.”

Motion Carried Unanimously.

**Residents of Shortt’s Lake West Road**

A petition from **residents of Shortt’s Lake West Road** requesting that street lights be installed on Shortt’s Lake West Road.

Moved by Deputy Mayor Matheson  
Seconded by Councillor Masters

“That the petition requesting that street lights be installed on Shortt’s Lake West Road be referred to Council Committee.”

Motion Carried Unanimously.

**Norval Collins, Proud Halifax Pride 2005**

A letter to Mayor Smith dated October 15, 2005 from **Norval Collins, Proud Halifax Pride 2005**, requesting financial sponsorship of Pride Week 2006.

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Moved by Deputy Mayor Matheson  
Seconded by Councillor Cavanaugh

“That the letter from Proud Halifax Pride 2005 requesting financial sponsorship of Pride Week 2006 be received for information.”

Motion Carried. *(Mayor Smith and Councillor Mingo opposed)*

**J.K. Langille, CAO,  
Town of Truro**

A letter to the CAO dated September 27, 2005 from **J.K. Langille, CAO, Town of Truro**, regarding Truro’s share of REMO costs for the purchase of equipment for the Emergency Operations Centre.

Moved by Councillor Masters  
Seconded by Councillor Taylor

“That a letter be sent to the Town of Truro requesting clarification on the amount they wish to contribute this fiscal year toward the purchase of equipment for the Emergency Operations Centre.”

Motion Carried Unanimously.

**Krista Wood, Director of  
Public Relations,  
Colchester East Hants  
Health Authority**

A copy of a media release dated October 14, 2005 from **Krista Wood, Director of Public Relations, Colchester East Hants Health Authority**, concerning the draft provincial school nutrition policy.

Councillor Cooper indicated his concern that this new policy may be taking healthy eating too far. He suggested that Council may wish to bring in a representative from the Nova Scotia Department of Health Promotion to speak on this matter.

Moved by Councillor Cooper  
Seconded by Councillor Cavanaugh

“That a representative from the Nova Scotia Department of Health Promotion be invited to make a presentation to Council on the provincial School Nutrition Policy.”

Motion **Defeated**. *(Deputy Mayor Matheson, Councillors Taylor, Masters, Edwards, Lynds, White and Mingo opposed)*

**Minister Ron Russell,  
Transportation & Public  
Works**

A copy of a letter to Mayor Mills dated October 19, 2005 from **Minister Ron Russell, Transportation and Public Works**, regarding the reconvening of the regional transportation committee.

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Moved by Deputy Mayor Matheson  
Seconded by Councillor Cavanaugh

“That the Municipality participate in the regional transportation committee and that the Mayor be directed to attend the initial meeting once the committee reconvenes.”

Motion Carried Unanimously.

### INFORMATION

**Kim Langlois, Office of Ombudsman**

A letter to the CAO dated September 30, 2005 from **Kim Langlois, Office of Ombudsman**, enclosing a brochure describing general services and outlining youth and senior services. Council agreed to receive this letter for information purposes.

**Sheldon Dorey, CAO, Town of Stewiacke**

A letter to the CAO dated September 30, 2005 from **Sheldon Dorey, CAO, Town of Stewiacke**, confirming Stewiacke's share of the REMO cost for the purchase of equipment for the Emergency Operations Centre. Council agreed to receive this letter for information purposes.

**Minister Kerry Morash, Environment & Labour**

A letter to Mayor Smith dated October 7, 2005 from **Minister Kerry Morash, Environment and Labour**, regarding a bill to amend the Building Code Act. Council agreed to receive this letter for information purposes.

**Jo Ann Fewer, Executive Director, CoRDA**

A copy of a letter dated October 12, 2005 from **Jo Ann Fewer, Executive Director, Colchester Regional Development Agency**, concerning the removal of a spur line in Debert. Council agreed to receive this letter for information purposes.

**Federation of Canadian Municipalities**

A copy of correspondence dated October 14, 2005 from the **Federation of Canadian Municipalities**, regarding the Canadian Coalition of Municipalities Against Racism. Council agreed to receive this correspondence for information purposes.

**J.B. Harnish, Secretary, Hilden Community Association**

A letter to Council received October 12, 2005 from **J.B. Harnish, Secretary, Hilden Community Association**, regarding an extension of the sidewalk in Hilden. Council agreed to receive this letter for information purposes.

**Development Officer**

A copy of the Development Activity Report received from the **Development Officer** for the month of September 2005. Council agreed to receive this report for information purposes.

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- Building Inspector** A copy of the Building Permit Statistics Report received from the **Building Inspector** for the month of September 2005. Council agreed to receive this report for information purposes.
- Peter Gurnham, N.S. Utility & Review Board** A copy of a memorandum dated October 17, 2005 from **Peter Gurnham, N.S. Utility and Review Board**, concerning comments on a hearing review process (copy of attachments on file in CAO's office). Council agreed to receive this memorandum for information purposes.
- Central Nova Tourist Association** A copy of the Fall 2005 newsletter received from the **Central Nova Tourist Association**. Council agreed to receive this newsletter for information purposes.
- Danita Imlay, Municipal Clerk, Municipality of Guysborough** A copy of an e-mail dated October 25, 2005 from **Danita Imlay, Municipal Clerk, Municipality of Guysborough**, attaching a copy of the Rural Caucus minutes of a meeting held on October 7, 2005. Council agreed to receive this e-mail for information purposes.
- Inky Mark, MP, Dauphin-Swan River-Marquette** A copy of correspondence dated October 25, 2005 from **Inky Mark, MP, Dauphin-Swan River-Marquette**, concerning the protection of recreational hunting and fishing rights for all Canadians. Council agreed to receive this correspondence for information purposes.
- Bullying Initiative** Mayor Smith reported on a three-hour session held on October 25th regarding the bullying issue. The session was organized by the Municipality with some 55 invitations extended to School Board members, teachers and students, community organizations, service clubs and the Mayors of Truro and Stewiacke. The session was well received with about 45 in attendance. Eva Marks MacIsaac did a very good job facilitating the session. Her work experience has been in community recreation and family support services.
- Of the 45 participants, 42 agreed that bullying was an issue and the group talked about the capacity to deal with it. Mayor Smith indicated that he would be coming back to Council at some point to look at supporting implementation for some of the initiatives coming out of this and any future meetings on this issue.
- Mayor Smith asked that a copy of the powerpoint presentation from the bullying session be copied to Councillor mailboxes.
- Flood Study Update** Councillor Taylor made reference to the 'on table' report to Council from Gordon Murray on the status of the flood study. The report contains some definite time lines and indicates that a copy of

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the report will be circulated to Council prior to a formal presentation by Mr. Murray which should take place no later than mid December.

**UNSM Fall Conference Update**

Mayor Smith reported that the main focus of this year's conference was fair and equitable funding and equalization.

**Reports from Councillors Appointed to Outside Boards and Agencies**

**Truro and District Chamber of Commerce**

Councillor Edwards reported on the Chamber meeting he attended last week. Bellasante on Prince Street was presented with a small business award.

**Regional Chairs, Solid Waste-Resource Management Committee**

Deputy Mayor Matheson reported that the Regional Chairs are having some problems with the guiding principles that went forward.

**Adjournment**

Moved by Councillor Masters  
Seconded by Councillor Lynds

“That the meeting be adjourned at 10:50 p.m.”

Motion Carried Unanimously.

Sheila Arsenault  
Recording Secretary